



MONTE L. FITCH
FRANCIS J. TABIN
JULIUS TABIN
JOHN F. FLANNERY
ROBERT B. JONES
JAMES J. SCHUMANN
JAMES J. HAMILL
TIMOTHY E. LEVSTIK
JOSEPH E. SHIPLEY
KENNETH H. SAMPLES
PHILIP T. PETTI
JOSEPH T. NABOR
STEVEN C. SCHROER
RICHARD A. KABA*
KARL R. FINK
MARK W. HETZLER
TIMOTHY P. MALONEY
JAMES P. KRUEGER
STEPHEN S. FAVAKEH
EDWARD W. GRAY, JR.*
RICHARD E. WAWRZYNIAK
STEVEN G. PARMELEE
BRUCE R. MANSFIELD
SHERRI N. BLOUNT*
KENDREW H. COLTON*
ROMI N. BOSE
G. PAUL EDGELL*
RICHARD W. SCHUMACHER
MICHAEL A. SANZO*

FITCH, EVEN, TABIN & FLANNERY

ATTORNEYS AND COUNSELLORS AT LAW

Established in 1859

SUITE 401L - 1801 K STREET, NW
WASHINGTON, D.C. 20006-1201

TELEPHONE (202) 419-7000

FACSIMILE (202) 419-7007

ILLINOIS OFFICE

SUITE 1600 - 120 SOUTH LA SALLE STREET, CHICAGO, IL 60603-3406
(312) 577-7000

CALIFORNIA OFFICE

SUITE 250 - 9276 SCRANTON ROAD, SAN DIEGO, CA 92121-7707
(858) 552-1311

COLORADO OFFICE

SUITE 213 - 1942 BROADWAY, BOULDER, CO 80302
(303) 402-6966

1647
Box 500
CHRISTOPHER E. GEORGE*
SCOTT J. MENGHINI
EDWARD E. CLAIR
SANDRA V. SCAVO
JON A. BIRMINGHAM
RUDY KRATZ
RAMON R. HOCH*
JOHN E. LYHUS
STEVEN M. FREELAND
DONNA E. BECKER
SEAN R. O'DOWD
MICHAEL G. VRANICAR
BRIAN S. CLISE

PATENT AGENTS

ERIC J. WHITESELL
JONATHAN H. BACKER*
LILIA I. SAFONOV

OF COUNSEL

THOMAS F. LEBENS

*Admitted To D.C. Bar; D.C.
Practice of all others limited to
Federal Courts and Agencies

October 23, 2002

Assistant Commissioner for Patents
Washington, DC 20231

Re: Amendment to Comply with Sequence Listing Rules
Appl. No.: 09/910,757
Filed: July 24, 2001
Title: **The Translation Enhancer Element of the
Human Amyloid Precursor Protein Gene**
Inventor(s): Rogers, Jack
Atty. Dkt.: 7570/73233 (81994/282402)

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OCT 25 2002

TECH CENTER 1600/2900

Dear Sir:

The following documents are being forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Amendment to Comply with Sequence Listing Rules;
3. A paper copy of the Sequence Listing;
4. A 3.5 inch diskette containing a computer readable copy of the Sequence Listing;
5. Change of Address Notice; and

Assistant Commissioner for Patents
October 23, 2002
Page 2

6. One return postcard.

Applicant does not believe that any fees are due for the filing of these documents. However, the Commissioner is hereby authorized to charge any fee deficiency to our Deposit Account No. 06-1135 under Order No. 7570/73233.

It is respectfully requested that the enclosed postcard be stamped with the date the enclosed documents are received by the PTO and that it be returned as soon as possible.

Very truly yours,

FITCH, EVEN, TABIN & FLANNERY

A handwritten signature in black ink that reads "Michael A. Sanzo". The signature is written in a cursive, flowing style.

Michael A. Sanzo
Reg. No. 36,912
Attorney for Applicant

MAS:ct
Enclosures

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

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Applicant Must Provide:

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- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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